

Daily Digest

Senate

Chamber Action

Routine Proceedings, pages S3487–S3568

Measures Introduced: Thirteen bills and one resolution were introduced, as follows: S. 3335–3347, and S.J. Res. 30. **Pages S3535–36**

Measures Passed:

Commemorating the Dedication and Sacrifices of Law Enforcement Officers: Senate agreed to S. Res. 511, commemorating and acknowledging the dedication and sacrifices made by the Federal, State, and local law enforcement officers who have been killed or injured in the line of duty. **Page S3567**

Measures Considered:

Restoring American Financial Stability Act—Agreement: Senate continued consideration of S. 3217, to promote the financial stability of the United States by improving accountability and transparency in the financial system, to end “too big to fail”, to protect the American taxpayer by ending bailouts, to protect consumers from abusive financial services practices, taking action on the following amendments proposed thereto:

Pages S3488–96, S3496–S3509, S3510–32

Adopted:

By an unanimous vote of 96 yeas (Vote No. 137), Sanders/Dodd Modified Amendment No. 3738 (to Amendment No. 3739), to require the non-partisan Government Accountability Office to conduct an independent audit of the Board of Governors of the Federal Reserve System that does not interfere with monetary policy, to let the American people know the names of the recipients of over \$2,000,000,000,000 in taxpayer assistance from the Federal Reserve System.

Pages S3488, S3490–95, S3510–32

By 63 yeas to 36 nays (Vote No. 139), Dodd Amendment No. 3938 (to Amendment No. 3739), to require the Secretary of Transportation to conduct a study on ending the conservatorship of Fannie Mae and Freddie Mac, and reforming the housing finance system. **Pages S3497–S3509**

Bennet Amendment No. 3928 (to Amendment No. 3739), to apply recaptured taxpayer investments toward reducing the national debt. **Pages S3511–13**

Rejected:

By 37 yeas to 62 nays (Vote No. 138), Vitter Amendment No. 3760 (to Amendment No. 3739), to address availability of information concerning the meetings of the Federal Open Market Committee.

Pages S3488–95

By 43 yeas to 56 nays (Vote No. 140), McCain Amendment No. 3839 (to Amendment No. 3739), to provide for enhanced regulation of, and to establish a term certain for the conservatorships of Fannie Mae and Freddie Mac, to provide conditions for continued operation of such enterprises, to provide for the wind down of such operations and the dissolution of such enterprises, and to address budgetary treatment of such enterprises. **Pages S3496–97, S3509**

Pending:

Reid (for Dodd/Lincoln) Amendment No. 3739, in the nature of a substitute.

Pages S3488–96, S3496–S3509, S3510–32

Corker Amendment No. 3955 (to Amendment No. 3739), to provide for a study of the asset-backed securitization process and for residential mortgage underwriting standards. **Pages S3513–16**

Merkley Amendment No. 3962 (to Amendment No. 3739), to prohibit certain payments to loan originators and to require verification by lenders of the ability of consumers to repay loans.

Pages S3516–21

Hutchison Modified Amendment No. 3759 (to Amendment No. 3739), to maintain the role of the Board of Governors as the supervisor of holding companies and State member banks. **Pages S3521–32**

A unanimous-consent-time agreement was reached providing for further consideration of the bill on Wednesday, May 12, 2010, following any Leader time, and that the time until 10 a.m., be for debate with respect to the following three amendments; with the time equally divided and controlled between the two Leaders, or their designees; that at 10 a.m., Senate vote on or in relation to the amendments in the order listed, with no amendment in order to the amendments prior to a vote, with 2 minutes of debate prior to the succeeding votes, and

with the succeeding votes limited to 10 minutes: Merkley Amendment No. 3962 (to Amendment No. 3739) (listed above); Corker Amendment No. 3955 (to Amendment No. 3739) (listed above); Hutchison Modified Amendment No. 3759 (to Amendment No. 3739); provided further, that the next two amendments in order would be: Landrieu-Isakson regarding risk retention; and Snowe-Landrieu Amendment No. 3918. **Page S3532**

Message from the President: Senate received the following message from the President of the United States:

Transmitting, pursuant to law, the 2010 National Drug Control Strategy; which was referred to the Committee on the Judiciary. (PM-54) **Page S3535**

Nominations Confirmed: Senate confirmed the following nominations:

Timothy S. Black, of Ohio, to be United States District Judge for the Southern District of Ohio.

Jon E. DeGuilio, of Indiana, to be United States District Judge for the Northern District of Indiana.

Pages S3509–10, S3568

Messages from the House: **Page S3535**

Measures Read the First Time: **Pages S3535, S3567**

Additional Cosponsors: **Pages S3536–39**

Statements on Introduced Bills/Resolutions: **Pages S3539–42**

Additional Statements: **Page S3535**

Amendments Submitted: **Pages S3542–66**

Authorities for Committees to Meet: **Pages S3566–67**

Record Votes: Four record votes were taken today. (Total—140) **Pages S3495, S3509**

Adjournment: Senate convened at 10 a.m. and adjourned at 7:01 p.m., until 9:30 a.m. on Wednesday, May 12, 2010. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on pages S3567–68.)

Committee Meetings

(Committees not listed did not meet)

OFFSHORE OIL AND GAS DEVELOPMENT

Committee on Energy and Natural Resources: Committee concluded a hearing to examine current issues related to offshore oil and gas development including the Department of the Interior's recent five year planning announcements and the accident in the Gulf of Mexico involving the offshore oil rig Deepwater Horizon, after receiving testimony from Elmer P. Danenberger III, former Chief, Offshore Regulatory

Program, Minerals Management Service, Department of the Interior; F.E. Beck, Texas A&M University, College Station; and Lamar McKay, BP America, Steven Newman, Transocean, Ltd., and Tim Probert, Global Business Lines, all of Houston, Texas.

EPA'S ROLE IN PROTECTING OCEAN HEALTH

Committee on Environment and Public Works: Subcommittee on Oversight concluded a joint hearing with the Subcommittee on Water and Wildlife to examine the Environmental Protection Agency's (EPA) role in protecting ocean health, after receiving testimony from Nancy Stoner, Deputy Assistant Administrator, Office of Water, and James J. Jones, Deputy Assistant Administrator, Office of Chemical Safety and Pollution Prevention, both of the Environmental Protection Agency; Roger Payne, Ocean Alliance, Lincoln, Massachusetts; Carys L. Mitchelmore, University of Maryland Center for Environmental Science, Solomons; Sam Waterston, Oceana, Washington, D.C.; and John T. Everett, Ocean Associates, Inc., Arlington, Virginia.

ENVIRONMENTAL IMPACTS OF RECENT OIL SPILL

Committee on Environment and Public Works: Committee concluded a hearing to examine economic and environmental impacts of the recent oil spill in the Gulf of Mexico, after receiving testimony from Lamar McKay, BP America, Tim Probert, Global Business Lines, and Steven Newman, Transocean, Ltd., all of Houston, Texas; Stephen A. Bortone, Gulf of Mexico Fishery Management Council, Tampa, Florida; Keith Overton, TradeWinds Island Resorts, St. Pete Beach, Florida; Eric B. May, University of Maryland Eastern Shore, Princess Anne; Margaret R. Caldwell, Stanford Law School, Stanford, California; and Lieutenant General Thomas G. McInerney, United States Army, (Ret.), Clifton, Virginia.

TROUBLED ASSET RELIEF PROGRAM

Committee on Finance: Committee concluded a hearing to examine the President's proposed fee on financial institutions regarding the Troubled Asset Relief Program, after receiving testimony from Edward J. DeMarco, Acting Director, Federal Housing Finance Agency; David C. John, The Heritage Foundation, and Nancy L. McLernon, Organization for International Investment (OFII), both of Washington, D.C.; and Douglas J. Elliott, Brookings Institution, New York, New York.

STANDARDS FOR A SAFER AMERICAN WORKFORCE

Committee on Health, Education, Labor, and Pensions: Subcommittee on Employment and Workplace Safety concluded a hearing to examine safe patient handling and lifting standards for a safer American workforce, including S. 1788, to direct the Secretary of Labor to issue an occupational safety and health standard to reduce injuries to patients, direct-care registered nurses, and all other health care workers by establishing a safe patient handling and injury prevention standard, after receiving testimony from Captain James W. Collins, Associate Director for Science, Division of Safety Research, National Institute for Occupational Safety and Health, Centers for Disease Control and Prevention, Department of Health and Human Services; Michael Hodgson, Chief Consultant, Occupational Health Strategic Health Care Group, Office of Public Health and Environmental Hazards, Veterans Health Administration, Department of Veterans Affairs; Barbara Silver-

stein, Washington State Department of Labor and Industries, Olympia; Bettye Shogren, Minnesota Nurses Association, St. Paul; June M. Altaras, Swedish Health Services, Seattle, Washington; and Douglas S. Erickson, Facility Guidelines Institute, Chicago, Illinois.

CITIZENSHIP AND IMMIGRATION SERVICES OVERSIGHT

Committee on the Judiciary: Committee concluded an oversight hearing to examine United States Citizenship and Immigration Services, after receiving testimony from Alejandro Mayorkas, Director, United States Citizenship and Immigration Services, Department of Homeland Security.

INTELLIGENCE

Select Committee on Intelligence: Committee held closed hearings on intelligence matters, receiving testimony from officials of the intelligence community. Committee recessed subject to the call.

House of Representatives

Chamber Action

Public Bills and Resolutions Introduced: 22 public bills, H.R. 5256–5277; and 8 resolutions, H.J. Res. 83; and H. Res. 1343, 1345–1350 were introduced. **Pages H3309–11**

Additional Cosponsors: **Pages H3311–12**

Reports Filed: Reports were filed today as follows:
H. Res. 1344, providing for consideration of the bill (H.R. 5116) to invest in innovation through research and development and to improve the competitiveness of the United States (H. Rept. 111–479) and

H. Res. 1254, directing the Secretary of the Interior to transmit to the House of Representatives certain information relating to the Secretary's Treasured Landscape Initiative, potential designation of National Monuments, and High Priority Land-Rationalization Efforts (H. Rept. 111–480). **Page H3296**

Recess: The House recessed at 12:50 p.m. and reconvened at 2 p.m. **Page H3280**

Suspensions: The House agreed to suspend the rules and pass the following measures:

Zachary Smith Post Office Building Designation Act: H.R. 5051, to designate the facility of the United States Postal Service located at 23 Genesee

Street in Hornell, New York, as the “Zachary Smith Post Office Building”; **Pages H3282–83**

Expressing support for designation of the first Saturday in May as National Explosive Ordnance Disposal Day: H. Res. 1294, to express support for designation of the first Saturday in May as National Explosive Ordnance Disposal Day to honor those who are serving and have served in the noble and self-sacrificing profession of Explosive Ordnance Disposal in the United States Armed Forces, by a $\frac{2}{3}$ yeas-and-nays vote of 388 yeas with none voting “nay”, Roll No. 256; **Pages H3283–84, H3294**

Honoring the life and legacy of William Earnest “Ernie” Harwell: H. Res. 1328, to honor the life and legacy of William Earnest “Ernie” Harwell, by a $\frac{2}{3}$ yeas-and-nays vote of 394 yeas with none voting “nay”, Roll No. 257; **Pages H3286–87, H3294–95**

Expressing the sense of the House of Representatives with respect to raising public awareness of and helping to prevent attacks against Federal employees while engaged in or on account of the performance of official duties: H. Res. 1187, amended, to express the sense of the House of Representatives with respect to raising public awareness of and helping to prevent attacks against Federal employees while engaged in or on account of the performance of official duties; **Pages H3287–89**

Supporting the goals and ideals of Peace Officers Memorial Day: H. Res. 1299, to support the goals and ideals of Peace Officers Memorial Day, by a $\frac{2}{3}$ yea-and-nay vote of 395 yeas with none voting “nay”, Roll No. 258; **Pages H3289–90, H3295–96**

Commemorating the life of the late Cynthia DeLores Tucker: H. Res. 1094, to commemorate the life of the late Cynthia DeLores Tucker; and

Pages H3290–92

Congratulating the outstanding professional public servants, both past and present, of the Natural Resources Conservation Service on the occasion of its 75th anniversary: S. Con. Res. 62, to congratulate the outstanding professional public servants, both past and present, of the Natural Resources Conservation Service on the occasion of its 75th anniversary.

Pages H3292–93

Recess: The House recessed at 3:22 p.m. and reconvened at 6:30 p.m.

Page H3293

Suspension—Proceedings Postponed: The House debated the following measure under suspension of the rules. Further proceedings were postponed:

Supporting the goals and ideals of National Women’s Health Week: H. Con. Res. 268, to support the goals and ideals of National Women’s Health Week.

Pages H3284–86

Moment of Silence: The House observed a moment of silence in honor of Ike Andrews, former Member of Congress.

Page H3295

Presidential Message: Read a message from the President wherein he transmitted the 2010 National Drug Control Strategy—referred to the Committees on Armed Services, Education and Labor, Energy and Commerce, Foreign Affairs, Homeland Security, the Judiciary, Natural Resources, Oversight and Government Reform, Small Business, Transportation and Infrastructure, Veterans’ Affairs, and Ways and Means and ordered printed (H. Doc. 111–107).

Pages H3296–97

Senate Messages: Messages received from the Senate by the Clerk and subsequently presented to the House today appear on pages H3280–81.

Senate Referrals: S. 1053 and S. 1405 were referred to the Committee on Natural Resources. **Page H3308**

Quorum Calls—Votes: Three yea-and-nay votes developed during the proceedings of today and appear on pages H3294, H3294–95, H3295–96. There were no quorum calls.

Adjournment: The House met at 12:30 p.m. and adjourned at 9:08 p.m.

Committee Meetings

THE STOCK MARKET PLUNGE: WHAT HAPPENED AND WHAT IS NEXT

Committee on Financial Services: Subcommittee on Capitol Markets, Insurance, and Government Sponsored Enterprises held a hearing entitled “The Stock Market Plunge: What Happened and What is Next?” Testimony was heard from Mary L. Schapiro, Chairman, SEC; Gary Gensler, Chairman, CFTC; and public witnesses.

TARP OVERSIGHT

Committee on Financial Services: Subcommittee on Oversight and Investigations held a hearing entitled “TARP Oversight: An Update on Warrant Repurchases and Benefits to Taxpayers.” Testimony was heard from David Miller, Chief Investment Officer, Office of Financial Stability, Department of the Treasury; Kevin R. Puvalowski, Deputy Special Inspector General, Office of Special Inspector General for TARP; Paul Atkins, member, Congressional Oversight Panel, and former Commissioner, SEC; and public witnesses.

DEMOCRACY IS STRENGTHENED BY CASTING LIGHT ON SPENDING IN ELECTIONS ACT

Committee on House Administration: Continued hearings on H.R. 5175, Democracy is Strengthened by Casting Light on Spending in Elections Act. Testimony was heard from the following former Commissioners of the FEC: Trevor Potter, and Michael Toner; and public witnesses.

MISCELLANEOUS MEASURES

Committee on the Judiciary: Subcommittee Crime, Terrorism, and Homeland Security held a hearing on the following bills: H.R. 4080, Criminal Justice Reinvestment Act of 2009; and H.R. 4055, Honest Opportunity Probation with Enforcement (HOPE) Initiative Act of 2009. Testimony was heard from Representative Schiff; John T. Broderick, Jr., Chief Justice, Supreme Court, State of New Hampshire; Jerry Madden, member, House of Representatives, State of Texas; Steven Alm, Judge, Second Division, Circuit Court of the First Judicial Circuit, State of Hawaii; and public witnesses.

AMERICA COMPETES REAUTHORIZATION ACT

Committee on Rules: Granted, by a non-record vote, a structured rule providing for consideration of H.R. 5116, the “America COMPETES Reauthorization Act of 2010.” The rule waives all points of order against consideration of the bill except those arising under clause 9 or 10 of rule XXI. The rule provides

1 hour of general debate equally divided and controlled by the chair and ranking minority member of the Committee on Science and Technology. The rule provides that the amendment in the nature of a substitute recommended by the Committee on Science and Technology modified by the amendment printed in part A of the Rules Committee report shall be considered as an original bill for the purpose of amendment and shall be considered as read. The rule waives all points of order against the amendment in the nature of a substitute except those arising under clause 10 of rule XXI. The rule makes in order only those amendments printed in part B of this report, and the amendments en bloc described in section 3. The amendments made in order may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question. All points of order against the amendments printed in part B of the report or amendments en bloc are waived except those arising under clause 9 or 10 of rule XXI. The rule provides that the chair of the Committee on Committee on Science and Technology or his designee may offer amendments en bloc consisting of amendments printed in part B of the report not earlier disposed of. Amendments en bloc shall be considered as read, shall be debatable for 40 minutes equally divided and controlled by the chair and ranking minority member of the Committee on Committee on Science and Technology or their designees, shall not be subject to amendment, and shall not be subject to a demand for division of the question. The original proponent of an amendment included in such amendments en bloc may insert a statement in the Congressional Record immediately before the disposition of the amendments en bloc. The rule provides one motion to recommit with or without instructions. The rule provides that the Chair may entertain a motion that the Committee rise only if offered by the chair of the Committee on Science and Technology or his designee. Finally, the rule provides that the Chair may not entertain a motion to strike out the enacting words of the bill. Testimony was heard from Chairman Bart Gordon and Representatives Hall (TX), Mario Diaz-Balart (FL), Bilbray, and Gingrey.

Joint Meetings

No joint committee meetings were held.

COMMITTEE MEETINGS FOR WEDNESDAY, MAY 12, 2010

(Committee meetings are open unless otherwise indicated)

Senate

Committee on Appropriations: Subcommittee on Defense, to hold hearings to examine proposed budget estimates for fiscal year 2011 for the Air Force, 10:30 a.m., SD-192.

Committee on Armed Services: Subcommittee on Personnel, to hold hearings to examine Reserve component programs in review of the Defense Authorization request for fiscal year 2011 and the Future Years Defense Program, 10 a.m., SR-222.

Committee on Commerce, Science, and Transportation: to hold hearings to examine the future of United States human space flight, 2:30 p.m., SR-253.

Committee on Foreign Relations: to hold hearings to examine Sudan, focusing on the Comprehensive Peace Agreement (CPA), Darfur and the region, 10:30 a.m., SD-419.

Committee on Homeland Security and Governmental Affairs: to hold hearings to examine Iran sanctions, focusing on why the United States Government does business with companies who do business with Iran, 10 a.m., SD-342.

Ad Hoc Subcommittee on Disaster Recovery, to hold hearings to examine Stafford Act reform, focusing on sharper tools for a smarter recovery, 2:30 p.m., SD-342.

Committee on the Judiciary: Subcommittee on Terrorism and Homeland Security, to hold hearings to examine espionage statutes, 10 a.m., SD-226.

House

Committee on Agriculture, Subcommittee on Conservation, Credit, Energy and Research, hearing on H.R. 4785, Rural Energy Savings Program Act, 10 a.m., 1334 Longworth.

Committee on Appropriations, Subcommittee on Labor, Health and Human Services, Education, and Related Agencies, on Public Witnesses, 10 a.m., and 2 p.m., 2358-C Rayburn.

Committee on Armed Services, Subcommittee on Military Personnel, to mark up H.R. 5136, National Defense Authorization Act for Fiscal Year 2011, 9 a.m., 2118 Rayburn.

Subcommittee on Strategic Forces, to mark up H.R. 5136, National Defense Authorization Act for Fiscal Year 2011, 11 a.m., 2212 Rayburn.

Committee on Energy and Commerce, Subcommittee on Health, hearing on Prematurity and Infant Mortality: What Happens When Babies are Born Too Early? 2 p.m., 2322 Rayburn.

Subcommittee on Oversight and Investigations, hearing entitled "Inquiry into the Deepwater Horizon Gulf Coast Oil Spill," 10 a.m., 2123 Rayburn.

Committee on Financial Services, Subcommittee on Financial Institutions and Consumer Credit, hearing entitled "Use of Credit Information Beyond Lending: Issues and Reform Proposals," 10 a.m., 2128 Rayburn.

Subcommittee on Oversight and Investigations and the Subcommittee on Housing and Community

Opportunity, joint hearing entitled “Minorities and Women in Financial Regulatory Reform: The Need for Increasing Participation and Opportunities for Qualified Persons and Businesses,” 2 p.m., 2128 Rayburn.

Committee on Homeland Security, Subcommittee on Intelligence, Information Sharing and Terrorism Risk Assessment, hearing entitled “A DHS Intelligence Enterprise: Still Just a Vision or Reality?” 10 a.m., 311 Cannon.

Committee on Oversight and Government Reform, hearing on H.R. 4869, Restroom Gender Parity in Federal Buildings Act, 10 a.m., 2154 Rayburn.

Subcommittee on Federal Workforce, Postal Service and the District of Columbia, oversight hearing entitled “The Price is Right, or is it?: An Examination of USPS Workshare Discounts and Products that Do Not Cover Their Costs,” 2 p.m., 2154 Rayburn.

Subcommittee on Government Management, Organization, and Procurement, to mark up H.R. 2142, Government Efficiency, Effectiveness, and Performance Improvement Act of 2009, 2 p.m., 2247 Rayburn.

Committee on Small Business, hearing entitled “Small Businesses and Broadband: An Engine for Economic Growth and Job Creation,” 1 p.m., 2360 Rayburn.

Committee on Veterans’ Affairs, to mark up the following bills: H.R. 1017, Chiropractic Care Available to All Veterans Act; H.R. 5145, Assuring Quality Care for Veterans Act; and H.R. 3885, Veterans Dog Training Therapy Act, 10 a.m., 334 Cannon.

Permanent Select Committee on Intelligence, Subcommittee on Terrorism, Human Intelligence, Analysis and Counterintelligence, executive, briefing on Indication and Warning Methodologies, 10:30 a.m., and, executive, briefing on Financial Intelligence, 1 p.m., 304–HVC.

Next Meeting of the SENATE

9:30 a.m., Wednesday, May 12

Senate Chamber

Program for Wednesday: Senate will continue consideration of S. 3217, Restoring American Financial Stability Act, and after a period of debate, vote on or in relation to Merkley Amendment No. 3962, Corker Amendment No. 3955, and Hutchison Modified Amendment No. 3759 at 10 a.m.

Next Meeting of the HOUSE OF REPRESENTATIVES

10 a.m., Wednesday, May 12

House Chamber

Program for Wednesday: Consideration of the following suspensions: (1) H. Res. 1261—Recognizing National Nurses Week; (2) H. Res. 1338—Recognizing the significant accomplishments of AmeriCorps; (3) H.R. 959—Officer Daniel Faulkner Children of Fallen Heroes Scholarship Act; (4) H.

Res. 1333—Expressing support for the goals and ideals of Children's Book Week; (5) S. Con. Res. 61—A concurrent resolution expressing the sense of the Congress that general aviation pilots and industry should be recognized for the contributions made in response to Haiti earthquake relief efforts; (6) H. Res. 1284—Supporting the goals and ideals of National Learn to Fly Day; (7) H. Res. ____ Expressing the sympathy and condolences of the House of Representatives to those affected by the flooding in Tennessee, Kentucky, and Mississippi in May, 2010; (8) H. Res. 1143—Commending the Community of Democracies; (9) H. Res. 1155—Commending the progress made by anti-tuberculosis programs; (10) H. Res. 1303—Recognizing the close friendship and historical ties between the United Kingdom and the United States; (11) S. 1067—Lord's Resistance Army Disarmament and Northern Uganda Recovery Act; (12) S. 3333—To extend the statutory license for secondary transmissions under title 17, United States Code; (13) H.R. 1514—Juvenile Accountability Block Grants Program Reauthorization Act; and (14) H. Res. ____ Expressing Support for May as National Foster Care Month. Begin consideration of H.R. 5116—America COMPETES Reauthorization Act of 2010 (Subject to a Rule).

Extensions of Remarks, as inserted in this issue

HOUSE

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